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7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**
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10 RICHARD BELL; JEWEL SHEPPARD;
11 ROBERT KELLEY and SALLY KELLEY;
12 MICHAEL F. MCKEON; NIGEL
13 RUDLIN; SHANE SNYDER; and
14 DIMITRITSA TOMORMANOVA,

15 Plaintiffs,

16 v.

17 RECONSTRUCT COMPANY, N.A.;
18 BANK OF AMERICA; COUNTRYWIDE
19 HOMES LOANS; MORTGAGE
20 INVESTOR'S GROUP; DIABLO
21 FUNDING GROUP; and PARAGON
22 HOME LENDING, LLC, *et al.*,

23 Defendants.

Case No.: 3:10-cv-00444-RCJ-WGC

**ORDER TO EXPUNGE NOTICE
OF LIS PENDENS**

24 Caliber Home Loans, Inc. (hereinafter "Caliber"), moved this Court for an Order
25 expunging a Notice of Lis Pendens, filed by Plaintiff, Dimitritza Toromanova (hereinafter
26 "Toromanova") and subsequently recorded with the Clark County Recorder's Office as
27 instrument number 201007090002181. The Notice of Lis Pendens was recorded against real
28 property commonly known as 4174 Jacqueline Way, Las Vegas, NV 89115 (APN: 140-06-718-
012) (hereinafter the "Property"). Caliber filed its Motion on October 23, 2019, and more than 14
days have passed without any party opposing Caliber's Motion.

1 Pursuant to NRS 14.015(3):

2 3. In addition to the matters enumerated in subsection 2, the party who recorded
3 the notice must establish to the satisfaction of the court either:

4 (a) That the party who recorded the notice is likely to prevail in the action; or

5 (b) That the party who recorded the notice has a fair chance of success on the
6 merits in the action and the injury described in paragraph (d) of subsection 2 would be
7 sufficiently serious that the hardship on him or her in the event of a transfer would be
greater than the hardship on the defendant resulting from the notice of pendency,
and that if the party who recorded the notice prevails he or she will be entitled to
relief affecting the title or possession of the real property.

8 Because this action has been dismissed, and the case terminated on August 3, 2012, it is
9 established that Toromanova cannot prevail in this action. Moreover, no timely opposition to
10 Caliber's Motion has been filed.

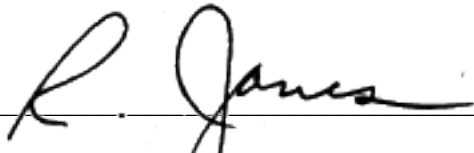
11 Accordingly, for good cause shown,

12 IT IS HEREBY ORDERED that Caliber's Motion to Expunge Lis Pendens [ECF No. 88]
13 is GRANTED; and
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15 IT IS FURTHER ORDERED that the Notice of Lis Pendens, filed by Plaintiff, Dimitritza
16 Toromanova, and subsequently recorded with the Clark County Recorder's Office as instrument
17 number 201007090002181 is CANCELLED and the Office of Clark County Recorder's Office
18 shall EXPUNGE the Notice of Lis Pendens from the records of the Clark County Recorder; and
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1 IT IS FURTHER ORDERED that a copy of this Order may be recorded by the Office
2 of the Clark County Recorder in the applicable chain of title for the above referenced Property.

3 IT IS SO ORDERED this 12th day of December, 2019.
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7 UNITED STATES DISTRICT JUDGE
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